



**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
Erik Gomez,  
Defendant.

Case No. 16-350-1M  
ORDER OF DETENTION

**I.**

The Court conducted a detention hearing:

☐ On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case  
allegedly involving Choose an item.

☒ On motion by the Government or on the Court's own motion  
[18 U.S.C. § 3142(f)(2)] in a case allegedly involving a serious risk that the  
defendant will flee.

The Court concludes that the Government is not entitled to a rebuttable  
presumption that no condition or combination of conditions will reasonably assure

1 the defendant's appearance as required and the safety of any person or the  
2 community [18 U.S.C. § 3142(e)(2)].

3 II.  
4

5 The Court finds that no condition or combination of conditions will  
6 reasonably assure: ☒ the appearance of the defendant as required.

7 ☒ the safety of any person or the community. Choose an item.  
8

9 III.  
10

11 The Court has considered: (a) the nature and circumstances of the offense(s)  
12 charged, including whether the offense is a crime of violence, a Federal crime of  
13 terrorism, or involves a minor victim or a controlled substance, firearm, explosive,  
14 or destructive device; (b) the weight of evidence against the defendant; (c) the  
15 history and characteristics of the defendant; and (d) the nature and seriousness of  
16 the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also  
17 considered all the evidence adduced at the hearing and the arguments, the  
18 arguments of counsel, and the report and recommendation of the U.S. Pretrial  
19 Services Agency.

20 IV.  
21

22 The Court bases its conclusions on the following:

As to risk of non-appearance:

- 
- 23 ☒ Lack of bail resources  
24 ☒ Defendant has no legal status in the United States  
25 ☒ No employment  
26 ☒ History of non compliance with court orders  
27 ☒ Defendant has family ties to El Salvador  
28

1 As to danger to the community:

2 ☒ Defendant has pending criminal matters with the Los Angeles  
3 Police Department and the Glendale Police Department involving narcotics,  
4 receiving known stolen property and obtaining credit/using another identification

5 ☒ Admitted drug use  
6

7 V.  
8

9 IT IS THEREFORE ORDERED that the defendant be detained until trial.  
10 The defendant will be committed to the custody of the Attorney General for  
11 confinement in a corrections facility separate, to the extent practicable, from  
12 persons awaiting or serving sentences or being held in custody pending appeal.  
13 The defendant will be afforded reasonable opportunity for private consultation  
14 with counsel. On order of a Court of the United States or on request of any  
15 attorney for the Government, the person in charge of the corrections facility in  
16 which defendant is confined will deliver the defendant to a United States Marshal  
17 for the purpose of an appearance in connection with a court proceeding.

18 [18 U.S.C. § 3142(i)]

19 Dated: February 19, 2015

20 \_\_\_\_\_/s/\_\_\_\_\_  
21 HON. ALKA SAGAR  
22 UNITED STATES MAGISTRATE JUDGE